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10/584,788	06/28/2006	Oliver Winzenried	125542-1006	5003
32914 7590 01/11/2011 GARDERE WYNNE SEWELL LLP INTELLECTUAL PROPERTY SECTION 3000 THANKSGIVING TOWER 1601 ELM ST DALLAS, TX 75201-4761				
EXAMINER				
COPPOLA, JACOB C				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/584,788

**Applicant(s)**

WINZENRIED ET AL.

**Examiner**

JACOB C. COPPOLA

**Art Unit**

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 December 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11, 13-15, 19, 20, 32, 34, 36, 37, 41-49, 51, 53-59 and 61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11, 13-15, 19, 20, 32, 34, 36, 37, 41-49, 51, 53-59, and 61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

#### **Continued Examination under 37 C.F.R. §1.114**

1. A request for continued examination (“RCE”) under 37 C.F.R. §1.114, including the fee set forth in 37 C.F.R. §1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 C.F.R. §1.114, and the fee set forth in 37 C.F.R. §1.17(e) has been timely paid, the finality of the previous Office Action has been withdrawn pursuant to 37 C.F.R. §1.114. Applicants’ submission filed on 20 December 2010 has been entered.

#### **Acknowledgements**

2. This Office Action is in reply to Applicants’ response filed on 20 December 2010 (“2010 Dec Response”).
3. Claims 11, 13-15, 19, 20, 32, 34, 36, 37, 41-49, 51, 53-59, and 61 are currently pending and have been examined.
4. This Office Action is given Paper No. 20110104. This Paper No. is for reference purposes only.

#### **Claim Rejections - 35 USC §112, Second Paragraph**

5. The following is a quotation of the second paragraph of 35 U.S.C. §112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11, 13-15, 19, 20, 32, 34, 36, 37, 41-49, 51, 53-59, and 61 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Regarding Claims 11, 13-15, 19, 20, 32, 34, 36, 37, 41-49, 51, 53-59, and 61

7. Claim 11 recites “sending the parameters to a central management computer, the central management computer being adapted for sending parameters associated with a first licensor... to a second computer...” (emphasis added). Moreover, claim 11 recites “after sending the parameters, receiving a restored authorization code at the first computer...”

8. Claim 11 is indefinite because it is unclear whether the “after sending the parameters” is referring to the “sending the parameters to a central management computer” or the “sending parameters ... to a second computer,” or to both.

9. Claims 43 and 53 recite similar limitations and are rejected for the reasoning set forth above.

10. Claim 34 recites “storing on a first computer, to which is connected an original dongle containing original authorization codes associated with a plurality of different licensors license parameters stored on a first computer and associated with, but not containing, the original authorization codes assigned to the licensee for the dongle.” Claim 34 is indefinite because it is unclear which of the “to which is connected an original dongle containing original authorization codes associated with a plurality of different licensors license parameters stored on a first computer and associated with, but not containing, the original authorization codes assigned to the

licensee for the dongle” is being stored via the “storing” step. The Examiner recommends, by way of example only, placing a comma between the “different licensors” and the “license parameters.” This amendment would make it clear that the “license parameters” are being stored via the “storing” step.

11. Claim 11 is indefinite for similar reasons as set forth above with respect to claim 34. For claim 11, the Examiner recommends placing a first comma after “storing” and a second comma after “via an interface.”

### **Claim Rejections - 35 USC §103**

12. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 11, 14, 32, 34, 41, 43, 44, 46-48, 53, 54, and 56-58 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cronce et al. (U.S. 7,032,240 B1) (“Cronce”), in view of Buchheit et al. (U.S. 2002/0031222 A1) (“Buchheit”).

#### Regarding Claims 11 and 34

14. Cronce discloses:

storing on a first computer (“host system **110**”) to which a first dongle (“portable authorization device **140**”) is connected via an interface (“host system interface circuit **145**”)

parameters (“authorization log file” contains “reconstruction data”) associated with a plurality of authorization codes stored on the first dongle (“reconstruction data” is associated with “authorization information stored on the portable authorization device **140**” from multiple vendors), but not storing on the first computer the authorization codes (“authorization log file does not contain the items of authorization information themselves”), the plurality of authorization codes being associated with at least two different licensors (see at least c. 5, ll. 17-34; c. 6, ll. 17-32, c. 7, ll. 35-50; and c. 22, l. 55 – c. 23, l. 24);

sending the parameters to an authorized party (an “authorized party” reads the parameters from the host computer) (c. 22, l. 55 – c. 23, l. 24);

after sending the parameters, receiving a restored authorization code (c. 22, l. 55 – c. 23, l. 24); and

storing the restored authorization code in a second dongle (c. 22, l. 55 – c. 23, l. 24).

15. Cronic does not directly disclose:

the authorized party as a central management computer;

after sending the parameters, receiving a restored authorization code at the first computer in a format that can be interpreted only by the dongle and not by the first computer; and

storing the restored authorization code in a second dongle connected to the first computer.

16. Cronic teaches sending parameters to a central management computer (“networked indirect information authority **185**,” e.g., “computer server” (see at least c. 5, ll. 53-65, c. 7, ll. 36-50, and c. 22, l. 55 – c. 23, l. 24).

17. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the “authorized party” as a networked central management computer, in a similar fashion as the central management computer taught by Cronic’s “networked indirect information authority **185**,” in order for the authorized party (which is disclosed as reading the parameters from the host computer) to receive and/or read the parameters over a network (e.g., network 187 of fig. 1).

18. To be clear, the Examiner has two positions: his primary position on how the claim is interpreted and his alternative position. The two positions are as follows:

19. **Primarily**, the Examiner notes that when the “authorized party” is implemented as a networked central management computer (similar to the “networked indirect information authority **185**,” e.g., “computer server”), the “authorized party” meets the claimed element of a “central management computer being adapted for sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor and not sending to the second computer parameters associated with any of the other of the at least two licensors” (emphasis added) since, as a server on a network, the authorized party would possess the necessary hardware to be capable of performing the “sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor and not sending to the second computer parameters associated with any of the other of the at least two licensors.”

20. **Alternatively**, the Examiner also notes, pursuant to MPEP §2111.04, the claim element “the central management computer being adapted for sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor

and not sending to the second computer parameters associated with any of the other of the at least two licensors” (emphasis added) does not limit the scope of claims 11 and 34.

21. Moreover, Buchheit teaches:

after sending parameters associated with a first licensor, receiving an authorization code (“Firm Item Creation Sequence” is received at licensee; sequence is composed of authorization keys for authorizing use of software) at a first computer (“licensee” is a computer) in a format that can be interpreted only by a dongle and not by the first computer (“Firm Item Creation Sequence” can only be decrypted by a private key stored in a dongle (i.e., the “protective device 3” of at least ¶ 0050) making the sequence only interpretable by the dongle, not the licensee computer) (see at least ¶¶ 0057-0061; and fig. 1 with associated text; see also abstract); and

storing the authorization code in the dongle connected to the first computer (see at least ¶ 0050).

22. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method steps of Cronce to include the steps of Buchheit implemented in a first and second computer configuration, much like the host and information authority configuration of Cronce, in order to implement Cronce’s restoration of the authorization codes over a network by designing the host computer of Cronce to send its stored parameters to the authorized party over a network, as taught by Buchheit. Additionally, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to use the format of Buchheit with the authorization codes of Cronce in order to ensure “that no unauthorized person can decode the [authorization codes].” See Buchheit at ¶ 0058.

Regarding Claims 14, 32, and 41

23. The combination of Cronic and Buchheit discloses the limitations of claims 11 and 34, as shown above, and further discloses the limitations of:

Claim 14: The method according to Claim 11, further comprising: receiving the parameters at the second computer; evaluating the parameters; and deciding with the second computer whether or not to return to the first computer the restored authorization code (Cronic: c. 22, l. 55 – c. 23, l. 24);

Claim 32: The method according to claim 11, wherein the authorization code is storable only on the access-protected data processing device (Cronic: c. 7, ll. 36-50); and

Claim 41: The computer readable medium of claim 34, wherein sending with the first computer the read license parameters further comprises: establishing a remote data connection between the computer of the licensee and a computer of the licensor (Cronic: fig. 1 with associated text; see also Buchheit: fig. 1 with associated text).

Regarding Claims 43 and 53

24. Cronic discloses:

reading parameters from a first dongle (“portable authorization device **140**”), which is connected via an interface (“host system interface circuit **145**”) to a first computer used by a licensee (“host system **110**”) and stores a plurality of original authorization codes from different ones of a plurality of licensors (“authorization information” from multiple vendors), each of the parameters being associated with one of the plurality of authorization codes and one of the

plurality of licensors (“reconstruction data” associated with the multiple vendors) (see at least c. 5, ll. 17-34; c. 7, ll. 35-50; and c. 22, l. 55 – c. 23, l. 24);

storing on the first computer the parameters read from a first dongle (see at least c. 22, l. 55 – c. 23, l. 24);

upon the dongle becoming lost or defective, sending the parameters to an authorized party (an “authorized party” reads the parameters from the host computer) (c. 22, l. 55 – c. 23, l. 24);

after sending the license parameters, receiving a restored authorization code (see at least c. 22, l. 55 – c. 23, l. 24); and

storing the restored authorization code on a replacement dongle (see at least c. 22, l. 55 – c. 23, l. 24).

25. Cronic does not directly disclose:

the authorized party as a central management computer;

receiving a restored authorization code from the first licensor at the first computer in a format that can be interpreted only by a replacement dongle and not by the first computer; and  
a replacement dongle connected to the first computer.

26. Cronic teaches sending parameters to a central management computer (“networked indirect information authority **185**,” e.g., “computer server” (see at least c. 5, ll. 53-65, c. 7, ll. 36-50, and c. 22, l. 55 – c. 23, l. 24).

27. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to implement the “authorized party” as a networked central management computer, in a similar fashion as the central management computer taught by Cronic’s

“networked indirect information authority 185,” in order for the authorized party (which is disclosed as reading the parameters from the host computer) to receive and/or read the parameters over a network (e.g., network 187 of fig. 1).

28. **Primarily**, the Examiner notes that when the “authorized party” is implemented as a networked central management computer (similar to the “networked indirect information authority 185,” e.g., “computer server”), the “authorized party” meets the claimed element of a “central management computer being adapted for sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor and not sending to the second computer parameters associated with any of the other of the at least two licensors” (emphasis added) since, as a server on a network, the authorized party would possess the necessary hardware to be capable of performing the “sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor and not sending to the second computer parameters associated with any of the other of the at least two licensors.”

29. **Alternatively**, the Examiner also notes, pursuant to MPEP §2111.04, the claim element “the central management computer being adapted for sending parameters associated with a first licensor of the at least two licensors only to a second computer associated with the first licensor and not sending to the second computer parameters associated with any of the other of the at least two licensors” (emphasis added) does not limit the scope of claims 11 and 34.

30. Moreover, Buchheit teaches:

receiving an authorization code from a first licensor (“Firm Item Creation Sequence” is received at licensee; sequence is composed of authorization keys for authorizing use of software)

at a first computer (“licensee” is a computer) in a format that can be interpreted only by a dongle and that cannot be interpreted by a computer of the licensee (“Firm Item Creation Sequence” can only be decrypted by a private key stored in a dongle (i.e., the “protective device 3” of at least ¶ 0050) making the sequence only interpretable by the dongle, not the licensee computer) (see at least ¶¶ 0057-0061; and fig. 1 with associated text; see also abstract); and

storing the authorization code in the dongle connected to the computer of the licensee (see at least ¶ 0050).

31. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method steps of Cronicce to include the steps of Buchheit implemented in a first computer and second computer configuration, much like the host and information authority configuration of Cronicce, in order to implement Cronicce’s restoration of the authorization codes to the replacement dongle over a network via Cronicce’s host computer by designing the host computer of Cronicce to send its stored parameters to the authorized party over a network, as taught by Buchheit. Additionally, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to use the format of Buchheit with the authorization codes of Cronicce in order to ensure “that no unauthorized person can decode the [authorization codes].” See Buchheit at ¶ 0058.

Regarding Claims 44, 46-48, 54, and 56-58

32. The combination of Cronicce and Buchheit discloses the limitations of claims 43 and 53, as shown above, and further discloses the limitations of:

Claims 44 and 54: The method of claim 43, wherein the original authorization code is not stored in the file (Cronce: c. 22, l. 55 – c. 23, l. 24);

Claims 46 and 56: The method of claim 43, wherein the parameters are stored in an encrypted form (Cronce: c. 22, l. 55 – c. 23, l. 24);

Claims 47 and 57: The method of claim 43, wherein the parameters are associated with first dongle and the original authorization code stored by the first dongle (Cronce: c. 22, l. 55 – c. 23, l. 24);

Claims 48 and 58: The method of claim 43 further comprising: receiving at the second computer parameters from the central management computer (see rejection to claim 43 – combination of Cronce and Buchheit meet this limitation); evaluating the parameters (Cronce: c. 22, l. 55 – c. 23, l. 24); deciding with the second computer whether or not to restore an authorization code based on the evaluation of the parameters (Cronce: c. 22, l. 55 – c. 23, l. 24); and generating the restored authorization code based on the parameters (Cronce: c. 22, l. 55 – c. 23, l. 24) and returning to the first computer the restored authorization code if it is decided to restore an authorization code (see rejection to claim 43 – combination of Cronce and Buchheit meet this limitation), and otherwise not returning an authorization code;

33. Claims 13, 15, 36, 37, 45, 49, 55, and 59 are rejected under 35 U.S.C. §103(a) as being unpatentable over Cronce, in view of Buchheit, and in further view of Pitman et al. (U.S. 2005/0132201 A1) (“Pitman”).

34. Regarding Claims 13, 36, 45, and 55

35. The combination of Cronce and Buchheit discloses the limitations of claims 11, 34, 43, and 53, as shown above, and further discloses:

wherein the parameters are stored at least partially in encrypted form (Cronce: c. 22, l. 55 – c. 23, l. 24).

36. The combination of Cronce and Buchheit does not directly disclose wherein the parameters are signed with time information for protection.

37. Pitman teaches signing an electronic record with time information for protection (see at least fig. 7 with associated text).

38. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the storing of the file in Cronce by signing the parameters with time information, as taught by Pitman, in order to verify that the parameters were signed by an entity with a valid certificate (see Pitman: fig. 10).

Regarding Claims 15, 37, 49, and 59

39. The combination of Cronce and Buchheit discloses the limitations of claims 13, 34, 43, and 53, as shown above, and further discloses generating the restored authorization code (Cronce: c. 22, l. 55 – c. 23, l. 24). Buchheit further discloses parameters including time information (see at least ¶ 0044).

40. The combination of Cronce and Buchheit does not directly disclose communicating time information stored in the file from the first computer to the second computer; evaluating the time

information at the second computer; and generating the restored authorization code based on the time information.

41. Pitman teaches communicating time information stored in a file from a first computer to a second computer and evaluating the time information at the second computer to determine the validity of a signature (see at least fig. 10 with associated text).

42. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the method of Crounce and Buchheit to include communicating and evaluating time information, as taught by Pitman, in order to confidently generate the restored authorization code knowing the file was created during a valid period and that the file has not been tampered with (see Pitman: fig. 10).

43. Claims 19, 20, 42, 51, and 61 are rejected under 35 U.S.C. §103(a) as being unpatentable over Crounce, in view of Buchheit, and in further view of Ansell et al. (U.S. 6,792,113 B1) ("Ansell").

#### Regarding Claim 19

44. The combination of Crounce and Buchheit discloses the limitations of claim 11, as shown above, and further discloses the limitations of:

Claim 19: The method according to Claim 18, further comprising: establishing a remote data connection between the first computer and the second computer for communicating the restored authorization code from the second computer to the first computer (see rejection to

claim 11).

Regarding Claims 20, 42, 51, and 61

45. The combination of Cronce and Buchheit discloses the limitations of claims 11, 34, 43, and 53, as shown above, and further discloses that the parameters are stored in a file ("log file").

46. However, the combination does not directly disclose reading an unmodifiable serial number of the dongle from the file; sending the serial number to a management computer; and storing the serial number in a block list at the management computer.

47. Ansell teaches reading an unmodifiable serial number (see "hardware identifier 140") of a hardware device; sending the serial number to a management computer; and storing the serial number in a block list at the management computer (see description of Authorization System 102 of at least fig. 1).

48. Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to include the serial number of Ansell in the file of Cronce and to send the serial number to a management computer as taught by Ansell, since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

49. Moreover, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify the file of Cronce to include a serial number of the dongle of Cronce, as taught by Ansell, in order to bind the license identifiers to the specific dongle. Also, it would have been obvious to one of ordinary skill in the art, at the time the invention was made,

to use the management computer of Ansell in the system of Cronce to store the serial number in a file for later user in restoring the authorization information of Cronce because such a management computer provides a central location for managing issued devices.

50. To support the rejections above (which use various combinations of Cronce, Buchheit, Pitman, and/or Ansell), in the event of an appeal to the USPTO's Board of Patent Appeals and Interferences, and in addition to the particular citations noted above, the Examiner hereby cites to Cronce, Buchheit, Pitman, and/or Ansell in their entirety (based appropriately on each statement of rejection).

51. The Examiner also notes that MPEP §714.04 states "In the consideration of claims in an amended case where no attempt is made to point out the patentable novelty, the claims should not be allowed. See 37 CFR 1.111 and MPEP §714.02." The Examiner finds that: 1) this application is "an amended case" (see amendments presented in the 2010 Dec Response), and 2) Applicants have made no attempt to point out patentable novelty of the dependent claims. For at least these reasons alone, and pursuant to MPEP §714.04, none of the dependent claims have been allowed.

### **Response to Arguments**

#### Prior Art

52. Applicants argue "Nevertheless, it is submitted that this rejection is now moot in view of the amendments made above." See 2010 Dec Response at p. 12. This is not persuasive since the rejection has been maintained by the Examiner.

53. Additionally, Applicants argue:

It is respectfully submitted that the amendments clearly distinguish the claimed subject matter from Cronce et al. and Buchheit et al. for the reasons that neither disclose or discuss use of a central management computer to which parameters associated with authorization codes from more than licensor are sent, which central management computer is adapted for forwarding those parameters associated with a first licensor to a first computer, and not to a computer associated with any of the other licensors.

See 2010 Dec Response at p. 13.

54. This is not persuasive. In the combination proposed above, the authorized party meets all elements of the claimed central management computer. Under the broadest reasonable interpretation, the authorized party of Cronce (when implemented as a server, as proposed in the rejection above) is structurally capable of performing the same recited functions that the claimed management server is “adapted for” performing. Therefore, Cronce’s authorized party (as modified in the rejection above) meets the claimed central management computer.

Comments on the “Statement of Substance of Interview with Examiner”

55. Applicants state:

No agreement was reached. However, the examiner indicated that he would favorably consider amendments such as those that are made above. He indicated that the prior art of record did not appear to teach the use of a central management computer in a manner such as that set forth in the claims.

See 2010 Dec Response at p. 12.

56. The Examiner agrees in-part with Applicants’ summary of the interview. The Examiner agrees that he did indicate that the prior art of record appears to lack Applicants’ disclosed process involving numerous steps that are performed by a central management computer. However, the Examiner does not agree that the amended claims set forth the use of the central management server as discussed in the interview.

57. With respect to the prior art of record, the Examiner still believes that Applicants' disclosed process involving numerous steps that are performed by a central management computer appears to overcome the art of record. However, rather than amending the claims to recite the numerous steps performed by the central management computer (as discussed in the interview), Applicants' chose to amend the claims in a broader manner by only reciting a central management computer "adapted for..." performing various functions. Under the broadest reasonable interpretation, the authorized party of Cronic (when implemented as a server, as proposed in the rejection above) is structurally capable of performing the same recited functions that the claimed management server is "adapted for" performing. Therefore, Cronic's authorized party (as modified in the rejection above) meets the claimed central management computer. Again, **the Examiner recommends amending the claims to positively recite the method steps performed by the central management computer.**

### Conclusion

58. Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to Jacob C. Coppola whose telephone number is (571) 270-3922. The Examiner can normally be reached on Monday-Friday, 9:00 a.m. - 5:00 p.m. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Andrew Fischer can be reached at (571) 272-6779.

59. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, please contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/JACOB C. COPPOLA/  
Patent Examiner, Art Unit 3621  
04 January 2011

/ANDREW J. FISCHER/  
Supervisory Patent Examiner, Art Unit 3621